

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

3 TAKO LLC,  
4                   Plaintiff

5 v.

6 PARNELL COLVIN,  
7                   Defendant

Case No.: 2:22-cv-01837-APG-NJK

**Order (1) Vacating Order Remanding  
Case and (2) Extending Time to Respond  
to Order to Show Cause**

9           Defendant Parnell Colvin removed this action from state court based on federal question  
10 jurisdiction. ECF No. 1. I ordered Colvin to show cause why this action should not be remanded  
11 to state court for lack of subject matter jurisdiction. ECF No. 5 at 1. I advised Colvin that failure  
12 to respond by November 16, 2022 would result in remand. *Id.*

13           It appeared from the docket that Colvin did not respond, so I remanded the case. ECF No.  
14 6. However, Colvin apparently had moved to extend the time for him to respond, but the motion  
15 was not properly docketed in this case until after I entered my remand order. ECF No. 7 (file  
16 stamped November 4, 2022 but entered on the docket November 21, 2022). Consequently, I  
17 vacate my order remanding the case and grant Colvin's motion to extend time.

18           I THEREFORE ORDER that my order remanding the case **(ECF No. 6) is VACATED**  
19 and the clerk of court is instructed to reopen this case.

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1 I FURTHER ORDER that plaintiff Parnell Colvin's motion to extend time (**ECF No. 7**)  
2 **is GRANTED.** Colvin shall file a response to the order to show cause by December 2, 2022.  
3 Failure to respond by that date will result in remand.

4 DATED this 21st day of November, 2022.

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7 ANDREW P. GORDON  
8 UNITED STATES DISTRICT JUDGE  
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